



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.12.2016

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
W.P. (MD) No.23992 of 2016

N.Kandasamy

... Petitioner

Vs.

- 1.The Joint Registrar,
Office of the Joint Registrar of Co-operative Societies,
Kajamalai, Trichy.
- 2.The Deputy Registrar,
Office of the Deputy Registrar of Co-operative Societies,
Musiri Division, Musiri,
Trichy District.
- 3.The President,
R1586 Kottapalayam Primary Agricultural Co-operative Society
Ltd, Kottapalayam,
Thuraiyur Taluk,
Trichy District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the retirement benefits and arrears of subsistence allowance to the Petitioner in view of the representation dated 20.10.2016 within a time frame fixed by this Court.

For Petitioner : Mr.S.Karthick Subramanian
For Respondents : Mr.A.K.Baskarapandian for R1 & R2
Special Government Pleader.

O R D E R

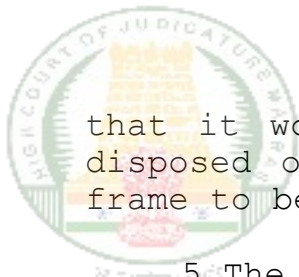
The petitioner seeks for a Writ of Mandamus, directing the respondents to pay the retirement benefits and arrears of subsistence allowance in view of the representation of the petitioner dated 20.10.2016 within a time frame.

2.Mr.A.K.Baskarapandian, learned Special Government Pleader takes notice for the respondents 1 and 2. By consent, the Writ petition itself is taken up for final disposal.

3.This Court is unable to consider the prayer on the basis of the ratio laid down in a case reported in **2006(4) LW 495K in Marappan Vs. Deputy Registrar of Cooperative Societies, Namakkal Circle, Namakkal and another** that no Writ is maintainable against the Cooperative Society.

<https://hcservices.ecourts.gov.in/hcservices/>

4.However, the learned counsel for the petitioner submitted



that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. The Writ petition fails and the same is dismissed. However, it is open to the 1st respondent to consider the representation of the petitioner, dated 20.10.2016 in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order if there are no legal impediments. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar,
Office of the Joint Registrar of Co-operative Societies,
Kajamalai, Trichy.
2. The Deputy Registrar,
Office of the Deputy Registrar of Co-operative Societies,
Musiri Division, Musiri, Trichy District.
3. The President,
R1586 Kottapalayam Primary Agricultural Co-operative Society
Ltd, Kottapalayam,
Thuraiyur Taluk,
Trichy District.

+1 cc to Mr. S.KARTHICK SUBRAMANIAN, ADVOCATE, SR NO.81467

+1 cc to Special Government Pleader, Sr No.81397

nbj

MAS/PM-JN:30.01.2017:2P-6C

W.P. (MD) No.23992 of 2016
15.12.2016